

BUILDING PERMIT GUIDE

City of Miami Gardens, Florida



Based upon the
2007 Florida Building Code
Florida State Statutes 489 and 553
Miami-Dade County Ordinance Chapter 8
Miami-Dade County Ordinance Chapter 10

City of Miami Gardens
Building Services Division
1515 NW 167th Street, Building
Miami Gardens, Florida 33169
Office: 305.622-8027
Fax: 305-622-8557
www.miamigardens-fl.gov

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We are pleased to present the Building Permit Guide to help our residents, contractors and design professionals navigate seamlessly through our permitting process. You will find answers to the most commonly asked questions related to State and local requirements, permit submittals, plan review, inspections, and occupancy. Our intent is to update this handbook regularly so that you have the most up-to-date information regarding building code requirements as well as upgrades to our services.

The Building Permit Guide was specifically designed as a “how-to” manual for obtaining the required permits for the safe construction and occupancy of any structure in the City of Miami Gardens. We have also included the Homeowner’s Bill of Rights doctrine, which was adopted by the City Council on May 26th, 2010 to educate the community about the responsibilities of everyone involved in the project such as the architects/engineers, contractors, property owner and the City. You are urged to abide by these guidelines to ensure that any new construction, renovation, alteration, or repair sufficiently meet design, safety, and code requirements.

Our goal is to provide topnotch customer service and surpass industry standards. You can expect a timely review of your plans, permit issuance and inspections as well as a professional atmosphere and personalized service. We welcome your feedback about your visit to our office and will continuously strive to enhance future experiences with us.

We are committed to protecting lives and hope you will join us in this effort to safeguard the City’s invaluable asset – our community.

Respectfully,

Sharon P. Ragoonan
Director of Building and Code Compliance



City of Miami Gardens

Building Services Division

1515 N.W. 167th Street, Bldg. # 4

Miami Gardens, Florida 33169

305-622-8027 (office) 305-622-8557 (fax)

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When is a building permit required?

The City of Miami Gardens uses a uniform building code called the Florida Building Code. This code can be purchased from the Miami-Dade Building Code Compliance Office located at 140 West Flagler Street, 16th floor.

Section 104.1.1 of the Florida Building Code states: "Any owner, authorized agent, or contractor who desires to construct, enlarge, alter, repair, move, demolish, or change the occupancy or occupant content of a building or structure, or any outside area being used as part of the building's designated occupancy (single or mixed) or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by the technical codes, or to cause any such work to be done, shall first make application to the building official and obtain the required permit for the work.

Permits are required for replacement of windows and sliding glass doors, as well as screen enclosures, storage sheds and carports of canvas or metal.

Permit Exemptions

1. EXEMPTIONS FROM BUILDING PERMIT BUT REQUIRE A ZONING IMPROVEMENT PERMIT (ZIP):

Certain buildings, structures, improvements, and installations are exempted by the Florida Building Code from building permit issuance, but must otherwise comply with the minimum of this section. Therefore, such building structures, improvements, and installations shall be subject to review under the Zoning Improvements Permits (ZIP) standards contained in this section, as well as the regulations of the underlying zoning district.

The following buildings, structures, improvements, and installations shall require a ZIP from the Department of Planning and Zoning.

- Above ground pools that contain water less than twenty-four (24) inches deep;
- Agricultural/farm buildings and non-habitable structures on bona fide farms;
- Canopy carports, canopies and other fabric covered framework installed on residential properties;
- Chickee huts constructed by Miccosukee or Seminole Indians;
- Picket fences, ornamental iron fences and other fences installed on residential property that are deemed non-wind resistant; provided, however, any pool safety barrier fence and any fence with concrete columns **shall require a building permit**;
- Decorative reflective pools and fishponds that contain water less than twenty-four (24) inches deep, that contain less than 250 square feet in area, and contain less than 2,250 gallons in volume;

- Decorative garden-type water type fountains;
- Signs – balloon type;
- Signs – painted wall type;
- Signs – stick on letter type;
- Buildings and structures specifically regulated and preempted by the Federal Government
- Temporary buildings or sheds used exclusively for construction purposes
- Mobile homes used as temporary offices, except that the provisions of the Florida Building Code relating to accessibility by persons with disabilities shall apply to such mobile homes.
- Paving and drainage

The Building Official shall have the authority to require a ZIP review for other buildings, structures, improvements, and installations that are newly created or come about by changes in the state or local building codes.

2. BUILDING PERMIT EXEMPTIONS NOT REQUIRING A ZONING IMPROVEMENT PERMIT (ZIP):

The following construction improvements do not require a building permit by the Florida Building Code, or a Zoning Improvements Permit (ZIP). However, other regulating agencies may require a permit.

- Surfacing of floors or slabs with carpet, tile, brick, wood, Chattahoochee.
- Playground equipment (swings, slides, monkey bars, basketball hoops, doghouses and pump covers) for residential use. All equipment
- Excavation of swales and drainage holding areas above the water table and in compliance with the Department of Environmental Resources Management (DERM) regulations.
- Ironwork for decorative purposes only (security bars and doors and railings require a permit).
- Interior or exterior painting and roof painting (water tight coatings require a permit).

3. MECHANICAL EXEMPTIONS RESIDENTIAL & COMMERCIAL PROPERTIES

The Florida Building Code Section 104.1 establishes the following permit exemptions for mechanical work:

- Any portable heating appliance.
- Any portable ventilation equipment.
- Any portable cooling unit.
- Any steam, hot or chilled water piping within any heating or cooling equipment regulated by this section.
- Replacement of any part which does not alter its approval or make it unsafe.
- Any portable evaporative cooler.
- Any self-contained refrigeration system containing 10lbs. (4.54 kg.) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- The installation, replacement, removal, or metering of any load management control device.

How do I get a building permit?

Building permits are issued in the name of the person(s) performing the work. Only licensed contractors or owners/builders may obtain a permit. Owner/builder permits are limited to the new construction of one single family residence per 24 month period and interior remodeling of commercial buildings is limited to \$5,000 in value.

The following is a description of the steps required to obtain a permit:

1. Fill out a Permit Application including a folio number (13 digit number from property tax statement or Miami-Dade County Property Appraisers, 111 N.W. 1st Street, 7th floor) or online at <http://gisims2.miamidade.gov/myhome/propmap.asp>.
2. Owner/builder must attach proof of ownership (warranty deed, closing statement or tax receipt) and sign the Instructions to Owner/Builder Form.
3. Submit two complete sets of plans to include (as applicable) site/plot plan, floor plan with location of plumbing and electrical fixtures, elevations, electrical service panel, cross sections of structural walls with details of materials and fasteners, roof framing plan, and energy calculation (when new structures or additions are air conditioned), and a third set for Public Works/Engineering review containing the following drawings: Site plan, Survey, Civil Engineering drawings (water and sewer, paving and drainage, erosion and sedimentation control), and Geotechnical.
4. Submit your permit application and plans at the Permit Counter to obtain a processing number. The permit clerk will enter the information from your application into the computer.
5. The Permit Counter will keep your plans for routing through the plan review process. They will direct you to pay an up-front permit fee at the cashier. You will be notified once processing is complete.
6. If plans require Miami-Dade County Fire and/or DERM review, the plans will be returned to you for submission at Miami-Dade Permitting and Inspection Center, 11826 SW 26th Street.
7. After all reviews have been approved, please pay the permit fee at the cashier and the permit card will be issued.

NOTE: Some projects will require a concurrency review and the payment of impact fees. You will be informed and directed by a processor.

Where do I get a permit?

If you live in the Miami Gardens area, the Building Services Division will issue building permits. If you wish to receive information and forms for obtaining a permit, please call our office, 305-622-8027 or visit us online at www.miamigardens-fl.gov.

Why get a permit?

It's the law! The Building Services Division helps you meet the requirements of the law. You will receive the services of expert plan reviewers and inspectors to ensure any work you perform on the property is in accordance with the building codes and approved plans.

Working without a permit is illegal and can result in fines; causing problems if, and/or when you sell your house.

If my property is on a septic tank, are there special requirements?

Please review the permit information from the Florida Department of Health, at 755 NW 8th Street, Bldg E Suite (305) 513-3459 or <http://www.doh.state.fl.us/environment/OSTDS/index.html>.

What happens if I have been cited for beginning construction prior to obtaining a permit?

If the construction conforms to code and your plans are acceptable, the permit will be issued and appropriate inspections will be made. If the construction does not conform to code, you have two options: Construction must be brought into compliance or construction must be removed. If the construction is not permitted under any circumstances, then it must be removed. You must have a permit to demolish and an inspection must be made to ensure that it has been demolished and the property cleared.

What are the penalties?

Pursuant to FBC 180.4, any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees (Double Fees).

How long does it take to get a permit?

The following types of permits can be filed through the Building Services Division at 1515 NW 167 St, Building 4 between 8:00 a.m. - 4:00 p.m. Monday through Friday. Most Building Services Division reviews will be completed within the statutory time outlined in Florida Statue 553.79. Residential permits take approximately 30 working days and commercial permits take approximately 45 working days for processing. These time projections are for initial plans review only. The following plan reviews related to residential and commercial properties are generally completed in substantially less time than required by Florida Statue:

Residential Property

- One story additions less than 1,000 square feet
- Minor repairs, remodeling and alterations
- Corrections to plans labeled as walk-thru
- Accessory structures less than 1,000 square feet
- Sheds, gazebos, Chickees, carports
- Pools and spas
- Fences and walls
- Tennis courts
- Structural decks (wood, concrete) not on grade
- Screened porches, patios, enclosures
- Plant houses and shade houses
- Awnings
- Revisions to permitted plans
- Lost plans
- Window replacement
- Barns and stables with a span truss of 15 feet or less

Commercial Property

Minor repairs, repairs, remodeling and alterations costing less than \$100,000, excluding restaurants and dry cleaning establishments or other uses which involve expanded plumbing, electrical or mechanical systems

- Fences
- Interior signs
- Paving and drainage (except for DERM)
- Landscaping
- Renewals and revisions (change of contractor & minor plan changes)
- Lost plans
- Barns and stables with a truss span of 15 feet or less (if there is an existing structure on the property)
- Pools and spas
- Tennis and racquetball courts

How will I know when I need inspections?

Inspections depend on what is involved in the project. Simply stated, an inspection is required prior to covering up any part of the construction. An experienced and licensed contractor knows which inspections are required by the Florida Building Code. You are encouraged to rely on their expertise for successful completion of your project. Inspection categories are listed on the back of the permit card. When in doubt about which inspection to request, please contact the Building Services Division for assistance. You are required to have the plans and permit on the project for inspections. The site must also be readily accessible for the Inspectors.

Who assumes the responsibility if a contractor tells me to get an owner/builder permit?

The owner is responsible. It is up to the owner to ensure that the contractor obtains his own permit. This permit makes the contractor legally responsible for their portion of the work. If you hire a contractor, it is your responsibility to ensure that the contractor is licensed and insured. Always ask to see the permit for your project. If no permit is obtained, you (the owner) are legally responsible. The status of a contractor's license can be verified with the Office of Building Code Compliance at (305) 375-2901 or www.myflorida.com/dbpr.

Unlicensed contractor

Unlicensed activity is a serious threat to the health, safety, and welfare for Florida residents and visitors. Unlicensed activity occurs when a person performs or offers to perform a job or service that requires licensure by the Florida Department of Business and Professional Regulation or Miami-Dade County Ordinance Chapter 10. If you determine your contractor is unlicensed, you must immediately file a complaint with the Miami-Dade County Building Code Compliance office, Contractor Enforcement Section, 305-375-2901 or Department of Business and Professional Regulation, ULA@DBPR.state.fl.us. Miami-Dade County complaint forms are also available in the Building Services lobby.

Florida Statue 489.128 establishes that contracts entered into on or after October 1, 1990, by an unlicensed contractor shall be unenforceable in law or in equity by the unlicensed contractor. The unlicensed contractor may not be granted a claim for a lien or bond for any labor, services, or materials provided under the contract or any amendment to the contract. All materials procured from suppliers other than the unlicensed contractor may have rights to lien or bond remedies.

How and when are inspections performed?

- Inspections are performed from 8:00 a.m. to 3:30 p.m., Monday through Friday.
- Your plans and permit must be at the construction site and the address properly posted and visible from the street. The job to be inspected must be accessible. An OSHA approved ladder must be available, if needed.
- Inspectors are located at the City of Miami Gardens Building Services Division. Inspectors are available to meet with the public from 8:00 a.m. to 9:00 a.m.
- To request an inspection, you need your permit number, property address, type of inspection, contact phone number, name of person making the request, company name, and specify if you are the owner or contractor.
- The hours to call for an inspection are from 7:30 a.m. to 3:00 p.m. Monday through Friday. Inspections requested prior to 3:00 p.m. are performed the next business day.
- To request an inspection, please call our bilingual inspection request line: (305) 622-8029

Do I need insurance for anyone helping me with the construction?

It is the owner's responsibility to obtain insurance for all those on the job except licensed contractors. Check with your insurance agent. Your homeowner's policy may provide coverage or you may need a rider to your policy to cover your liability. Since October 1, 1989, contractors are required by State Law to carry Workers' Compensation Insurance if they have one or more employees.

May I do my own work?

If you plan to do the work, you are required to provide adequate proof of your ability to each of the processors, in the discipline you are requesting to work. Additionally, owner/builders are limited to one permit per two year period for the construction of a new single family residence.

For how long is a building permit valid?

A building permit is valid provided an approved inspection is obtained within 180 days of its issuance, and an approved inspection is obtained every 180 days until completion.

What are plan rework fees? And who is responsible for compliance and payment?

The building permit fee entitles the applicant to an initial plan review and one follow-up review per discipline. A rework fee of \$102.32 shall be charged for each additional follow-up plan review. After the third denial and before acceptance of rework for follow-up plan review, the Designer of Record will be required to meet with the plans examiner. Upon the fourth and all subsequent design document rejections, a fee of four times the re-work fee plus the third rework fee will be assessed at permit issuance (ex. $409.28 + 102.32 = 511.60$). The Owner will be notified upon the second design document rejection. The Designer of Record is responsible for ensuring the plans submitted are code compliant; however, the Owner is ultimately responsible for payment of the permit.

Permit submittal checklist

Once it has been determined that a permit is required before work can be done, the following documents are needed, as they may apply:

___Notarized owner's affidavit authorization

When the property has been bought within the last six months we need proof of ownership (example: Warranty Deed, Mortgage Deed or Bill of Sale).

When the property is in a Corporation's name, we need proof of the signer on the Owner's Affidavit to be able to accept the affidavit (example: Proof can be a copy of Florida Department of State Annual recordation form showing the President, Vice-President, etc or any legal corporate document showing the same).

*When the property is being leased, we need two owner's affidavits and a copy of the complete lease. The first owner's affidavit is the property owner authorizing the lessee and the second owner's affidavit is the lessee authorizing the contractor.

*When the property is a condominium and the work to be done is for a general area, the affidavit must be signed by one of the board members for the Association (proof of that person being a board member must be shown). If the work to be done is on an individual unit, we need the affidavit signed by the unit owner, proof of ownership and a letter from the association stating their knowledge of the work to be done.

___Application form completed - signed and notarized by qualifier for contracting company.

___Three sets of signed and sealed plans by both the Florida registered engineer and architect, with complete construction details. Two complete sets in accordance with FBC and Miami-Dade County Ordinance Section 8-10. Third set for Public Works must only contain the following drawings:

1. Site plan
2. Survey
3. Civil Engineering drawings (water and sewer, paving and drainage, erosion and sedimentation control)
4. Geotechnical report (when paving and drainage is involved)
5. Drainage calculations (when paving and drainage is involved)

___Survey

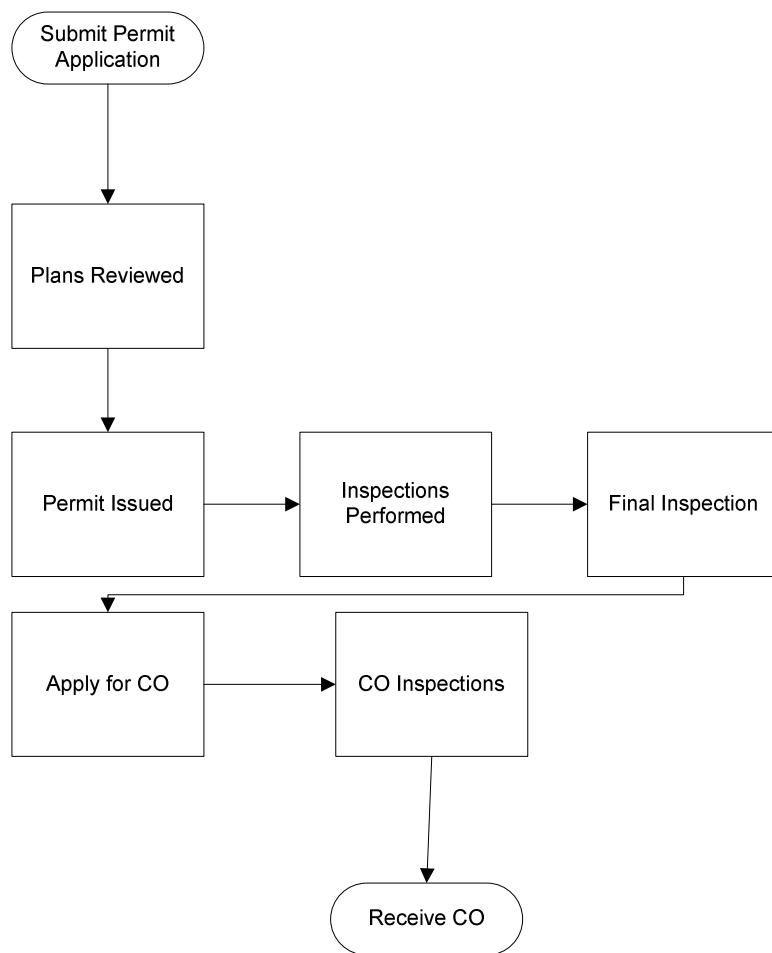
___Site Plan

___Soil test with qualifying design statement and recommendation by professional engineer.

___Current copies of contractor's licenses and insurances.

In addition, prior approval may also be necessary from one or several Miami-Dade County agencies or City departments.

Permit Process Flowchart



What time is construction noise prohibited?

Pursuant to Ordinance 2008-36-172, Section 8, Noises Prohibited, (j) Construction or repair of buildings, excavation of streets and highways: The construction, demolition, alteration or repair of any building or the excavation of streets and highways are prohibited between the hours of 8:00 p.m. and 7:00 a.m., Monday through Friday, all day weekends and holidays. In case of emergency, construction or repair noises are exempt from this provision.

Services

Lobby Hours

- 8:00 a.m. to 4:00 p.m.
Monday through Friday, except major holidays

Walk thru permits

The “walk-thru” process has been designed to make the application for building permits easier for applicants and more efficient for the city. The walk-through process is available for roofing, re-roofing, window and doors. Walk-through hours are as follows:

- Roofing and Re-roofing Commercial
Mondays and Wednesdays
8 a.m. to 10 a.m.
- Window, Doors, and Shutters
Mondays and Wednesdays
10:30 a.m. to 12:30 p.m.

Meeting Hours

- Inspectors
8:00 a.m. to 9:00 a.m.
Monday through Friday, except major holidays
- Plan Reviewers
8:00 a.m. to 11:30 a.m.
Monday, Wednesday and Thursday (by appointment only)

Homeowners Bill of Rights Concierge Service

- Submission at Inspectors window (see pamphlet or website for details)
8:00 a.m. to 4:00 p.m.
Monday through Friday, except major holidays

NEW CONSTRUCTION PERMIT REQUIREMENTS FLOODPLAIN MANAGEMENT PROGRAM

The following floodplain management requirements are intended as a guideline for contractors, builders and homeowners, to use when planning construction projects in the City of Miami Gardens.

This checklist does NOT include all requirements that might exist for floodplain management purposes. Certain project specifications or situations might require additional or specific requirements not listed here.

For any questions on these requirements, please contact the Floodplain Management Program at 305.622.8039, or mgambino@miamigardens-fl.gov.

PLAN REVIEW CHECKLIST

New Construction and Substantial Improvements

- Survey must be submitted that shows at a minimum the following:
 - Existing elevations of all streets adjacent to property
 - Highest crown of road adjacent to structure
 - Existing elevations of adjacent properties, or subject property boundaries, particularly the four corners of the property
 - Elevations of any existing structures or equipment servicing the structure

- Provide on the site plan, floor plan or other appropriate section of the plans the following:
 - Proposed elevation of the finished floor of the structure
 - Proposed elevation of the garage, if attached
 - Proposed elevation of any enclosed areas that are part of the structure
 - If the project has more than one structure, proposed elevations for all structures are required.
 - If the garage or other enclosed areas of the structure are proposed below the applicable flood zone for the area, show number of openings and volume of all openings, and show elevations of any electrical equipment or utilities in the garage or other enclosed area
 - Proposed elevation of the slab supporting the air conditioning unit or other utilities serving the structure
 - A Sediment and Erosion Control plan showing BMP's
 - A stormwater management plan that includes measures to retain stormwater on the property in question

Additions

- If the addition is a substantial improvement, the above requirements would apply for the addition. A final Elevation Certificate would also be required at the completion of the project. Substantial improvement is defined as work that has a value greater than 50% of the market value of the structure.
- If the addition is NOT a substantial improvement, indicate on the plans the elevation of the addition, or indicate if you plan to match the existing floor of the structure. If the addition is proposed lower than the existing floor, the minimum city standards for elevations are required.
- Include in the plans the elevation of any new equipment that would serve the addition (example: new AC and slab) these also must comply as in bullet above.

FLOODPROOFING NON-RESIDENTIAL STRUCTURES

Non-Residential structures can be flood-proofed in lieu of complying with elevation requirements

Floodproofing projects:

- Floodproofing must be constructed to one foot above the minimum elevation requirement.
- Provide a signed and sealed Floodproofing Certificate at two stages of the project:
 - At Application, showing flood-proofed design, including the elevation to which the floodproofing method is designed; and
 - At the final stage, confirming the elevations with the final as-built Floodproofing Certificate.

Minimum Elevation Requirements for New Construction or Substantial Improvements

Residential and Non-Residential Structures

- The lowest finished floor of the structure shall be at or above the highest of the following:
 - The Base Flood Elevation (BFE) as depicted on the current Flood Insurance Rate Map (FIRM). These maps are on file at the Floodplain Administrator's Office, or can be found in County libraries, or on line at www.fema.com. The BFE is depicted as the number behind the designation. For example, in Miami Gardens, there are two BFE's, AE6 and AE7.
 - Highest adjacent crown-of-road plus 8"
 - Elevation as shown on County Flood Criteria Maps (CFC). This number is always lower than the elevations above, so does not apply for Miami Gardens.
 - Elevation of back of sidewalk. This number almost always is equal to the highest adjacent crown-of-road.
- FEMA does allow enclosures below the BFE in flood zones, with the following conditions:
 - The enclosure can only be used for storage, parking and access
 - Openings are required to equalize hydrostatic pressure on the structure.
 - For those areas not having a BFE, the 8" requirement still exists.

DEFINITIONS

- **New construction:** Any construction activity started after December 31, 1974.
- **Substantial Improvement:** Any combination of addition, renovation, repairs, or alteration of a structure where the cost of said construction equals or exceeds 50% of the market value of the structure. If a structure meets the definition of substantial improvement, it then has to comply with all the current construction and FIRM map requirements of the floodplain management code.
- **Floodproofing:** Creating or retro-fitting a structure so that it is substantially impermeable to damage from water inundation for at least 72 hours, under prescribed flooding conditions and water pressures.
- **BMP:** Best Management Practices, those activities which will be most effective in complying with the floodplain management code.
- **FIRM** is the Flood Insurance Rate Map, which depicts the various flood zones in the City.
- **Base Flood Elevation (BFE)** is the elevation of flooding that would occur for the 1% storm. The 1% storm is the standard used to protect residents from flooding.

Contact List

- DERM (Department of Environmental Management) Plan Review Section (www.miamidade.gov/derm)
11805 SW 26th Street.....(786) 315-2800
- DERM (Waste & Sewer Division, Waste Water Section) Allocation Letter (www.miamidade.gov/derm)
33 SW 2nd Avenue 1st Floor(305) 372-6500
- ** Water Control – 2nd Floor (for properties over 2 acres).....(305) 372-6681
- Health Department (Hotel and Restaurant Section) (www.myfloridalicense.com/dbpr)
8240 NW 59th Terr, Suite 101.....(305) 499-4077
- Health Department (Septic Tank Division) (www.dadehealth.org)
7755 NW 48th Street, Bldg E Suite 130.....(305) 623-3500
- Fire Department (For Plan Review) (www.miamidade.gov/mdfr/services)
11805 SW 26th Street.....(786) 331-4800
- Impact Fees (Schools, Roads, Fire) (www.miamidade.gov)
11805 SW 26th Street.....(786) 315-2670
- Miami-Dade County Code Compliance Office (www.miamidade.gov/buildingcode/home.asp)
140 West Flagler Street, Suite 1603.....(305) 375-2901
- Miami-Dade Tax Assessors' Office (www.miamidade.gov/proptax)
140 West Flagler Street.....(305) 375-4125
- Microfilm (Miami-Dade County) (www.miamidade.gov/building)
11805 SW 26th Street, 2nd Floor.....(786) 315-2340
- City of North Miami Beach Utilities (www.citynmb.com)
17011 NE 19TH Avenue.....(305) 948-2960